

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

JESSE MCDOWELL,	)	13 Civ. 03786 (RWS, GWG)
	)	
Plaintiff,	)	ECF CASE
vs.	)	
ELI LILLY AND COMPANY,	)	
an Indiana corporation,	)	
Defendant.	)	
	)	
	)	

**PLAINTIFF’S NOTICE OF MOTION AND MOTION FOR RECONSIDERATION OF  
THE COURT’S SUMMARY JUDGMENT ORDER**

PLEASE TAKE NOTICE that Plaintiff, Jesse McDowell (“Plaintiff”) upon the accompanying Declaration of Harris L. Pogust; the exhibits thereto; and the accompanying Memorandum of Law, will move this Court, before The Honorable Robert W. Sweet, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, Courtroom 18C, 500 Pearl Street, New York, NY, on Wednesday, December 17, 2014, at 12:00 pm, for an Order (1) for reconsideration of the Court’s summary judgment Order; and (2) granting such other and further relief as the Court may deem just and proper.

Dated: November 24, 2014

Respectfully Submitted,

/s/Harris L. Pogust  
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*Counsel for Plaintiff*

**CERTIFICATE OF SERVICE**

I certify that on this 24<sup>th</sup> day of November, 2014, a true and correct copy of the foregoing *Plaintiff's Notice of Motion and Motion for Reconsideration of the Court's Order for Summary Judgment* was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

/s/Harris L. Pogust

Harris L. Pogust, Esq

*Counsel for Plaintiff*